

NEWSPAPER CLIPPINGS AND PROMOTIONAL MATERIAL FOR
W276AQ, FORT LEE, NEW JERSEY

000311

Your Hometown Radio Station



The New York Times

The Little Radio Station That Could

By JAY ROMANO

DUMONT

STUFFED into a cramped studio on the second floor of a cinder-block building here, a tiny FM radio station short on power but long on enthusiasm is changing the way tens of thousands of residents in northern New Jersey tune their radios.

The station, WJUX-FM, 103.1, has just celebrated its first anniversary as "Bergen County's Hometown Radio Station." In one year it has attracted 40,000 listeners a week and a cadre of loyal sponsors by broadcasting local news, traffic reports and ballads and big-band hits from the 1930's, 40's and 50's.

In fact, Jukebox Radio, as it calls itself, has been such a hit with residents of the area that the station's owner recently requested Federal Communications Commission permission to increase the station's broadcasting power. That application has the support of state, county and local officials, as well as the backing of some Federal legislators.

"Everybody realizes that it's about time Bergen County had its own radio station," said the owner, Gerry Turro, a determined 39-year-old Oradell resident whose lifelong dream has been to bring FM radio back to its

birthplace in the county.

Achieving that goal has taken Mr. Turro on an odyssey that ranged from a two-day stint in a Dumpster in New York City to an eight-year battle with Washington bureaucrats trying to persuade the F.C.C. that Bergen County needed a radio station it could call its own. Before Jukebox Radio, Bergen was the largest county in the country without a 24-hour FM radio station.

After years of rejection, Mr. Turro stumbled upon a backdoor into radio-land. And now, one year later, Jukebox Radio is being beamed into homes and automobiles from Franklin Lakes to Fort Lee and beyond.

"We were stunned," said Mr. Turro, reflecting on Jukebox Radio's rapid growth and the fact that it has attracted fans in Hudson County, Essex County, Rockland County and even New York City. "We didn't expect it to go much beyond Bergen County."

To understand Mr. Turro's surprise, one needs to know only that some radio stations broadcasting from Manhattan — the radio market closest to the one served by Jukebox Radio — send out 50,000-watt signals. Jukebox Radio broadcasts at a whop-

a station," Mr. Turro said proudly.

Jukebox Radio's entire broadcast center — studio, sales office, business office, newsroom and executive office — is squeezed into a 1,000-square-foot second-floor loft in Dumont, a quiet, middle-class community in northeastern Bergen County. A small satellite dish outside is the only hint that something electronic is going on inside.

The main studio is a 12-by-14-foot soundproof room. "That's Peter Vann, our afternoon drive guy," Mr. Turro said, opening a door to the studio and pointing to a disk jockey sitting at a console in front of a vintage 1950's microphone. Peter Vann, who moved to Jukebox Radio from another station in Rockland County after a career as a teacher, was just beginning his afternoon shift.

"Jukebox Radio," he said in a voice that could melt lead, "playing only the music that you want to hear."

'Their Own Spotlight'

Next door, in the newsroom, the news director, David Matthau, was preparing the next broadcast of local news.

"The whole point of this place is to give people the opportunity to find out what's going on in their own backyard," Mr. Matthau said. "We're giving people who live in the shadow of New York City their own spotlight."

One of the most popular items broadcast by the station, Mr. Turro said, is local traffic information provided by Shadow Traffic.

"People stuck in traffic in Bergen County don't need to know the conditions on the Long Island Expressway," he said, adding that local weather reports are also provided.

But what seems to be the biggest drawing card for Jukebox Radio is its music — big-band hits and sentimental favorites from the 30's, 40's and 50's, like "When You and I Were Young, Maggie," "Praise the Lord and Pass the Ammunition," "It Had to Be You" and "Moonlight Serenade."

Treasures From the Garbage

"And what's really amazing," Mr. Turro said, "is that nearly everything you're listening to came out of the garbage."

He explained that several years ago, while working as an engineer at WNEW radio in New York City, he arrived one morning to discover that the walls of the station's

Tapes and records that were thrown out become a lure for radio listeners.

record library had been stripped bare. That, he said, was the time when WNEW was switching to an all-talk format.

"I asked, 'Where is everything?'" he said. "They told me, 'On the loading dock, in a Dumpster.'"

Mr. Turro, whose dream of starting a radio station was waiting in one important area — records — dashed to the loading dock.

"I gave the guys \$50 and told them, 'Nobody touches this Dumpster until I say so,'" he recalled. "I went back upstairs, told my boss, 'Don't pay me for two days,' and then I spent the next two days in the Dumpster."

For his labors, Mr. Turro emerged with nearly 4,000 tapes and records.

"The stuff was in the garbage," he said. "It would have been gone forever."



Lennor Davis for The New York Times

Gerry Turro, the owner of radio station WJUX-FM.



'Jukebox Radio' gets in its 35 watts' worth

By DAVID HINCKLEY

Daily News Staff Writer

IT'S usually considered an indisputable fact that there's no room on New York airwaves for more radio stations.

So Gerry Turro found some anyway. He calls his station WJUX (103.1 FM, "Jukebox Radio") and now that he's got a foothold, he wants it to grow.

In a fascinating sidestep, Turro bought a 10-watt high school station in Franklin Lakes, N.J., and began relaying its signal to a tower (a "repeater") in Dumont, N.J., where the power increases to 35 watts.

That's small, since big stations broadcast with 50,000 watts. But WJUX now covers most of Bergen County and about half of Manhattan, and Turro has applied to the FCC for an increase to 250 watts, which would greatly increase the station's range.

Since WJUX plays American popular standards, with a lot of Big Band, it is obviously aiming at the audience that used to listen to WNEW-FM, and now listens mostly to WQEW.

Toward that goal, Turro owns most of the old WNEW record library. Just as important, says WJUX' Bill Gaghan, "We have an FM signal — and all this music just sounds so gorgeous on FM."

At a time when city radio stations can sell for \$50-\$70 million, of course, there's some resistance to letting Turro tiptoe into the market with a high school station he bought for \$100,000. Many New York radio people feel he bought the station primari-

ly to serve New Jersey and he should stay there. But Gaghan says the WJUX listener count is up to 100,000, and those listeners want more.

Gaghan says a daily Frank Sinatra segment, 2:30-3 p.m., is the kind of thing that's especially popular with WJUX listeners.

RADIO



NORTHERN NEW JERSEY

BUSINESS

NEW JERSEY'S BUSINESS NEWSPAPERS

Volume 2, Number 23

November 30—December 13, 1994

\$7.50

FOCUS:
Business Travel pg. 26

DUMONT

Tiny WJUX Has Discovered a Formula For Radio Success

by Joseph Romano

Big-band music plus local news and traffic reports works for a 35-watt station.

As every entrepreneur knows, not even hard work, long hours, deep pockets and a good idea are enough to guarantee business success. Sometimes you just have to get your hands dirty. Perhaps it was with that in mind that several years ago Gerry Turro, a 40-year-old Oradell resident with a lifelong dream of starting a radio station in Bergen County, found himself in a garbage dumpster in New York City hip-deep in old records. But that kind of drive is leading to his success in the competitive world of radio.

"We're a little baby pes-shooter of a station," Turro says proudly of WJUX-FM, the 35-watt station he established within earshot of the already-saturated New York City market. "But we're breaking new ground here. With 50,000-watt stations right at our back door, we're kicking butt. We're getting ratings."

In fact, after just 18 months on the air, Jukebox Radio—103.1 FM—has attracted more than 70,000 listeners and a cadre of sponsors by broadcasting local news, traffic and "music from America's Golden Age"—ballads and big-band hits from the 1930s, '40s, and '50s.

Just last month, the little pes-shooter acquired its first commercial affiliate station, the 6,000-watt WXTM-FM in Monticello, N.Y., which broadcasts from the top of a mountain in Liberty, N.Y., and can be heard as far as 85 miles away.

Acquiring the new affiliate, however, means more to Jukebox Radio than just an increase in the number of potential listeners. From its inception Jukebox Radio has been licensed as a non-commercial, educational station. As such, it could not accept paid advertisements from sponsors. Now, with the addition of the Monticello station, Jukebox Radio has become a commercial station and can sell advertising.

"We're already sold out," Turro says, adding that the fledgling station is in the black and that he expects Jukebox Radio to have well over \$1 million in revenues for its current fiscal year.

Life was not always as easy, however. In fact, Turro fought for more than eight years just to convince the Federal Communications Commission that Bergen County needed a radio station of its own. His argument

was that while Northern New Jersey residents might get a smorgasbord of radio programming out of New York City, they were receiving a paltry serving of local news, traffic and weather. But federal regulators weren't buying. The FCC shot us down repeatedly," Turro says. "They'd say, No way. You don't need local service."

Turro finally decided to make an end-run around the FCC. He bought an existing 10-watt high school radio station in Franklin Lakes. The broadcasting range of the station was about one mile. "I paid \$100,000," he says. "That was about \$99,000 more than the station was worth."

But owning the station gave Turro a license and the right to broadcast. So, with license in hand, he rented a 1,000 sq.-ft space in Dumont and installed a studio and a newroom. From there the Jukebox Radio signal was transmitted to the 10-watt station in Franklin Lakes, which is where the program would technically originate—and then it would be retransmitted from there to another transmitter in Fort Lee, which boosts the Jukebox Radio signal to 35 watts and sends it out over the airwaves.

"It took off like a shot," Turro says, pointing to a wall of proclamations and commendations he has received from local public officials. In fact, although Jukebox Radio's 35-watt Fort Lee transmitter only provides a consistent signal for a radius of seven to 10 miles, the station has been getting ratings in Hudson and Essex counties as well as in Rockland County and New York City. Recent Arbitron ratings indicate that even without counting the listeners resulting from the acquisition of the Monticello affiliate, Jukebox Radio has about 70,000 listeners a week. "We were stunned," Turro says, reflecting on Jukebox Radio's rapid growth and its appeal outside the intended listening area. "We didn't expect it to go much beyond Bergen County."

On a recent afternoon in the studio, Peter Vann, the station's so-called afternoon drive guy, was busy cooing into a vintage 1950s microphone. Behind Vann were racks of tape cassettes bearing song titles like, "Moonlight Serenade."



THE MOUSE THAT ROARS: The station's success has surprised even Turro (standing)

Next door in the newroom, David Mattheu, the station's news director, was preparing the next broadcast of Northern New Jersey news. Mattheu says that what makes Jukebox Radio unique is its emphasis on Northern New Jersey coverage, which the large New York City stations ignore. Local traffic information provided by Shadow Traffic is another popular feature. "People stuck in traffic in Bergen County don't need to know the conditions on the Long Island Expressway," he says.

But the most obvious drawing card for Jukebox Radio is its music—big-band hits and other sentimental favorites. "And what's really amazing," Turro says, "is that nearly everything you're listening to came out of the garbage."

Several years ago, while working as an engineer at WNEW in New York City, Turro arrived for work one morning to discover that the walls of the station's record library had been stripped bare. The station had switched to an all-talk format. "I asked where everything was," Turro says. "Someone told me it was out on the loading dock in a dumpster."

Turro dashed to the dock. "I gave the guys \$50 and told them, 'Nobody touches this dumpster until I say so,'" he recalls. "I went back upstairs, told my boss, 'Don't pay me for two days,' and then spent the next two days in the dumpster."

For his labors, and his investment of \$50, Turro emerged with nearly 4,000 tapes and records. And if that wasn't luck enough, a few months later someone at WNEW called him

and told him they had located "the other half" of the library.

"Give us a thousand bucks, and it's yours," the caller said. Turro gladly paid the asking price. "There are records that are 40, 50 years old," he says. "It was the cream of the crop."

Turro's collection of golden oldies, which now exceeds 10,000 titles, became the heart and soul of Jukebox Radio. But while the station's popularity with listeners and sponsors skyrocketed, it was a bitter-sweet success for Turro. As long as it was broadcasting on the former high-school station's license, he had to remain a non-commercial station. Sponsors, for example, could not buy advertising but had to settle for so-called enhanced underwriting.

All that changed last month, however, when WXTM signed on as Jukebox Radio's first affiliate. In exchange for providing all of its programming to WXTM, Jukebox Radio is allowed to originate its broadcast from there. Since the broadcast now originates at WXTM—a commercial station—Jukebox Radio can carry paid advertisements for the first time.

Turro is still pressing the state's congressional delegation to persuade regulators in Washington to grant an increase in Jukebox Radio's Fort Lee transmitter power from 35 to 250 watts. "Not a day goes by that we don't get calls from people asking about the power increase," he says. But regulators still question whether the area needs its own radio station. Says he: "The fact that a 35-watt station is getting 70,000 listeners convinces me that there's a need." ♦

325

Jukebox Radio

You're In Good Company!

Partial List of Jukebox Radio Sponsors:



Alco Cadillac
Allied Office Supply
Assaggia Ristorante
F. Baldini Ricci Auction Galleries
The Beahive
Belmar Spring Water
Bergen Mall
Bergen Community College
Berry Lee Drugs
BRC. Bowling Center
Charles Jewelers
The Children's Exchange
Colonial Buick
Country Pancake House
Deborah Hospital
Englewood Volvo
The Fashion Center
Feldner Cadillac
Fisher Chevy-Oldsmobile
Frankie and Johnnies
Galaxy Triplex Theatre
Giulio's of Tappan
Glen Rock Inn
Great American Video
Holy Name Hospital
Kismet Executive Limousine
Manny's Restaurant
The Lighthouse Restaurant
Homeaid Resources
Hudson City Savings
Linda Aftab's Twin Carpet
Kumon USA

New Jersey Devils
New Jersey Eye Center
NJ State Lottery
Paul's Motors Volvo
Paramus Lighting
Paramus Tire Company
Pascack Valley Hospital
Pero's New Bridge Inn
Prospect Park Furniture
Queen Anne Furs
The Record
River Palm Restaurant
Sanducci's Pasta & Pizza
Jack Schlein Buick
*Teaneck Chamber of
Commerce*
Tenaflly Camera
Tool Town
Tuscany In The Park
Villa Rosa
Wine & Roses
Wild Bird Marketplace
Mazur's Bakery
Victor's Maywood Inn
Jewelry Exchange
Lantana
John Harms Theatre
Liberty Subaru
La Petit Patisserie
Huffman Koos
Mullane Ford

000316



Jukebox Radio

Summer 1994 Arbitron Results

<u>Listener Group</u>	<u>Dayparts</u>	<u>Days</u>	<u>AQH</u>	<u>Cume</u>
Persons 12+	6am-12mid	M-Sun	3,303	65,154
Persons 35+	6am-7pm	M-F	4,133	48,536
Persons 35+	6am-10am	M-F	4,332	19,130
Persons 35+	10am-3pm	M-F	3,582	30,104
Persons 35+	3pm-7pm	M-F	4,621	27,938
Persons 35+	10am-7pm	Sat	3,110	17,944
Persons 35+	10am-3pm	Sun	2,632	8,806

General Audience Information

(6am-12mid., Mon-Sun)

Male Listeners	47%
Female Listeners	53%
In-Home Listening	62%
In-Auto Listening	26%
At-Work Listening	11%

000317

Jukebox Radio



Listener Buying Habits

Listener Trend

Percent Above National Average

Own a Rolls Royce	132
Own a Cadillac	48
Purchased securities last 12 months	363
Purchased mutual funds last 12 months	92
Have American Express Optima card	164
Acquired home equity loan last 12 months	135
Use lawyer for wills & estates	122
Acquired home mortgage last 12 months	231
Own vacation/weekend home	107
Use financial management planning	81
Have brokerage account	66
Own personal computer at home	164
Ordered equipment by phone last 12 months	256
Visited Atlantic City casino last 12 months	52
Own a mini-motor home	51
Took adult education course last 12 months	31
Wear eyeglasses/contacts	26
Bought men's suit/sportcoat last 12 months	50
Fitness walking-last 12 months	29
Played golf at country club last 12 months	17
Own an outboard motor	51
Drink imported wine with dinner	26
Bought Visa travelers checks	207
Have visited Italy	177
Have visited Israel	237
Have valid passport	49

000318

(Source: Simmons Market Research Bureau, Based on a study of consumer activities undertaken by listeners to Nostalgia formatted radio stations)



COVERAGE

JUKEBOX RADIO COVERAGE

Inv. CONTOURS



Bergen County, New Jersey, with seventy municipalities and almost one million residents, is one of the most affluent markets in the nation. A bedroom community of New York, Bergen County ranks #1 in New Jersey for total buying income and retail sales. In fact, out of over three thousand counties nationwide, Bergen

Here are some highlights at-a-glance:

- 44% of Bergen County residents are in the 25-54 Demographic Group
- 39% of Bergen County residents are in the highly desirable age group of 35-64
- Over 40% of Bergen County residents are in the \$50,000+ income group

900319



Jukebox Radio Advertising Rates

Effective November 1, 1994



60-second units	A	B	C	D
AM Drive 6am-10am, M-F Fixed Position	\$100	95	90	85
PM Drive 3pm-7pm, M-F	95	90	85	80
Middays 10am-3pm, M-F	90	85	80	75
Evenings 7pm-12mid, M-Sun	65	60	55	50
Total Audience 1/3 AM Drive; 1/3 PM Drive; 1/3 Middays & Evenings, M-F	85	80	75	70
Weekends 6am-7pm	65	60	55	50
Run-of-Schedule 6am-12mid, M-Sun only Best Times Available, Pre-emptible	70	65	60	55
Newscasts 6am-7pm, M-F Includes 10-sec. open & close, :60 sec. commercial	95	90	85	80
Weather/Traffic 6am-7pm, M-F Includes 10-sec. open sec. commercial	90	85	80	75

30-second units available at 80% of 60-second rates
Rates commissionable to recognized advertising agencies

000320

Feeney Funeral Home, Inc.

232 Franklin Avenue
Ridgewood, New Jersey 07450
(201) 447650

David B. Feeney
Manager

Established 1921

Robert W. Feeney
President

September 7, 1994

Jukebox Radio
P.O. Box 888
Paramus New Jersey 07653-0888
Att: Brian Rathjen

Dear Brian:

I am writing this letter to tell you how happy we are advertising on your radio station!

We would never have made the leap onto radio if it were not for the professionalism of both the staff and yourself.

As we discussed, the funeral business is a very sensitive one, and we would never have come on board if we were not completely comfortable with Jukebox Radio.

The response to our 'Empty Chair' and our G.R.O.W. (Grief Recovery Outreach Workshops) has been outstanding. The response has been a twofold success! First, we have received a great number of positive comments about the Ad, which was one primary aim. The second has been a community awareness of our programs that we could never have achieved in the newspapers! If I have heard "I didn't know Grief Workshops are run out of your funeral home...I found out listening to the radio..." I've heard it a hundred times!

Once again, Thank You and your excellent staff!

Talk to you soon,

Yours Truly,


David Feeney

000321



... a craft and gift gallery

472 Cedar Lane
Teaneck, N.J. 07666

(201) 836-1366

To Whom It May Concern:

As an advertiser on Jukebox Radio almost since its inception, I am pleased to have been a supporter of this wonderful station. My customers report constantly hearing my ad, which means they're listening to it, and new customers have been made as a direct result of this advertising.

In addition, we turn on this station when we open every morning, and we and our customers enjoy this music all day. It is conducive to shopping, and I feel it keeps the customers in the store longer so they spend more. Jukebox Radio plays familiar, humming-along, memories music, and all ages enjoy it. Several customers have asked what station we're playing and have now become regular listeners.

I would urge all businesses to support Jukebox Radio with their advertising and also to play the station in their establishments. The staff is great....helpful and caring, and the station has a friendly, intelligent attitude. Once you hear this station, you'll love it! And I hope you'll become a satisfied advertiser like me.

Sincerely,

Bea Westin

Bea Westin

President/Owner

000322



32 Godwin Avenue • Midland Park, New Jersey 07432 • (201) 444-1043

November 3, 1994

Mr. James Hagerty
Jukebox Radio

Dear Jim,

Since we started advertising on Jukebox Radio last February, hardly a day goes by when a customer does not come into our shop to tell us that he/she heard our commercial on 103.1 FM. We find that Jukebox Radio is the ideal medium to target our market. It allows us to extend our message to areas of Bergen and Passaic counties that print advertising does not. We have even heard from customers as far away as Queens County.

It is interesting to note that on many occasions people have actually thanked us for sponsoring the music heard on Jukebox Radio. It sometimes appears that the station has a "cult following" of listeners.

We look forward to many years of sponsorship on Jukebox Radio.

Sincerely,

John F. Grisoni

000323



August 8, 1994

Past Champions

1978 Virginia Wade
1979 Chris Evert
1980 Hana Mandlikova
1981 Hana Mandlikova
1982 Leigh Thompson
1983 Jo Durie
1984 Martina Navratilova
1985 Kathy Rinaldi
1986 Steffi Graf
1987 Manuela Maleeva
1988 Steffi Graf
1989 Steffi Graf
1990 Steffi Graf
1991 Jennifer Capriati
1992 Monica Seles
1993 Jennifer Capriati
1994 Steffi Graf

Jim Hagarty
Account Executive
Jukebox Radio
75 2nd Street
Dumont, NJ 07628

Dear Jim:

I want to take this opportunity to thank you for helping make the Pathmark Tennis Classic a success.

The 1994 Classic had an attendance of over 57,000 spectators throughout the week. Thursday Night's Steffi Graf match and Sunday's finals were both complete sell-outs.

We appreciate the promotional announcements and tickets giveaways you did on-air and recognize that advertising on Jukebox Radio attracts local New Jersey fans and greatly enhances the success of the tournament.

I look forward to working with you in the future!

Sincerely,

Sarah F. Rubin

000324



December 1, 1994

Mr. Glen Cresspo
Jukebox Radio
75 Second Street
Dumont, NJ 07628

Dear Glen:

Thousands of New Jersey's less fortunate residents did get to celebrate Thanksgiving. Our emergency "turkey call" brought in almost 2,500 turkeys and over \$6,000!! We did it with your help, Glen!

On behalf of everyone at the FoodBank, I thank you for airing our plea and I thank you for caring!

Radio has a magical effect on people, and your listeners really responded.

With appreciation,

Liz Thomas
Liz Thomas

000325

CERTIFICATE OF SERVICE

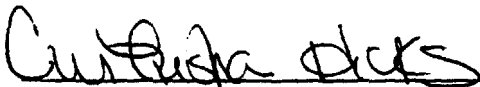
CurTrisha Hicks, a secretary in the Enforcement Division, Mass Media Bureau, certifies that she has on this 20th day of August 1997, sent by U.S. mail, U.S. Government frank, copies of the foregoing "Answers of Serge Loginow, Jr. to Interrogatories of Monticello Mountaintop Broadcasting, Inc." to:

Administrative Law Judge Arthur I. Steinberg
Federal Communications Commission
2000 L Street, N.W., Suite 228
Washington, D.C. 20554

Alan Y. Naftalin, Esq.
Charles R. Naftalin, Esq.
Koteen & Naftalin
1150 Connecticut Ave., N.W.
Washington, D.C. 20036

James P. Riley, Esq.
Fletcher, Heald and Hildreth, P.L.C.
1300 North 17th Street
11th Floor
Rosslyn, VA 22209

Roy R. Russo, Esq.
Richard A. Helmick, Esq.
Cohn and Marks
1333 New Hampshire Ave., Suite 600
Washington, D.C. 20036


CurTrisha Hicks

000326

Att. D

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AUG 20 '97

In re)

GERARD A. TURRO)

MM Docket No. 97-122

For Renewal of License)
for FM Translator Stations)

File Nos. BRFT-970129YC
BRFT-970129YD

W276AQ(FM), Fort Lee, NJ, and)
W232AL(FM), Pomona, NY)

MONTICELLO MOUNTAINTOP)
BROADCASTING, INC.)

Order to Show Cause Why the Construction)
Permit for FM Radio Station WJUX(FM),)
Monticello, NY, Should Not Be Revoked)

To: Gerard A. Turro)

Federal Communications Commission	
Docket No. 97-122	Exhibit No. MMB-18
Presented by FCC	
Disposition	Identified <input checked="" type="checkbox"/>
	Received <input type="checkbox"/>
	Rejected <input type="checkbox"/>
Reporter <input checked="" type="checkbox"/>	
Date 11-24-97	

**ANSWERS OF SERGE LOGINOW, JR. AND THE MASS
MEDIA BUREAU TO INTERROGATORIES
OF GERARD A. TURRO**

On August 8, 1997, Gerard A. Turro ("Turro") by his attorneys, submitted interrogatories to Serge Loginow, Jr. ("Loginow"), an employee of the Commission's Compliance and Information Bureau ("CIB") and the Mass Media Bureau ("Bureau").¹ Pursuant to Section 1.311 of the Commission's Rules, the following answers are provided.

¹ Section 1.44 of the Commission's Rules generally requires separate pleadings for different requests for action by Commission personnel. Although Turro's interrogatories are directed to both Loginow and the Bureau, these answers are responded to by Loginow based upon his personal knowledge. The Bureau's knowledge and information regarding these matters are based solely on the information provided to it by Loginow.

000327

Answers

Interrogatory 1: I made the observations described in interrogatory 31 with respect to the inspections in April and May of 1995. I did not personally determine whether there were specific violations of Commission rules. Rather, I just made the observations outlined herein and reported them to Bureau.

Interrogatory 2: I prepared typewritten notes, which have been disclosed by the Bureau, from handwritten notes. After I prepared the typewritten notes, I discarded the handwritten notes.

Interrogatory 3: I have spoken to Mass Media Bureau employees Stephen Barone and Alan Aronowitz about the events relating to my response to interrogatory 1.

Interrogatory 4: Gerard A. Turro.

Interrogatory 5: There is no such allegation.

Interrogatory 6: See interrogatory 5.

Interrogatory 7: See interrogatory 5.

Interrogatory 8: See interrogatory 5.

Interrogatory 9: The only technical analyzes (sic) I am aware of was prepared by Cohen, Dippell and Everist, P.C., which was furnished as an attachment to the complaint filed by Universal Broadcasting of New York, Inc.

Interrogatory 10: See interrogatory 1.

Interrogatory 11: See interrogatory 2.

Interrogatory 12: See interrogatory 3.

Interrogatory 13: See interrogatory 4.

Interrogatory 14: See interrogatory 1.

Interrogatory 15: See interrogatory 2.

Interrogatory 16: See interrogatory 3.

Interrogatory 17: See interrogatory 4.

Interrogatory 18: See interrogatory 1.

Interrogatory 19: See interrogatory 2.

Interrogatory 20: See interrogatory 3.

Interrogatory 21: See interrogatory 4. In addition, Eugene Blabey and Carol Montana.

Interrogatory 22: See interrogatory 1.

Interrogatory 23: See interrogatory 2.

Interrogatory 24: See interrogatory 3.

Interrogatory 25: See interrogatory 4.

Interrogatory 26: See interrogatory 1.

Interrogatory 27: See interrogatory 2.

Interrogatory 28: See interrogatory 3.

Interrogatory 29: See interrogatory 4.

Interrogatory 30: I was the only person who conducted the investigations.

Interrogatory 31: April 13, 1995: Jeff Young, Investigations Branch, CIB, requested that I inspect WXTM at the written request of Norman Goldstein, Compliance and Investigations Branch, Mass Media Bureau. Sometime after 9 a.m. on April 13, 1995, I went to the address listed for the main studio of WXTM in Ferndale, New York. Although I was

able to locate another radio station, WVOS, Monticello, there was no indication at that location that it also served as the main studio for WXTM. I inquired at the local post office to find out if they knew where WXTM was located, but was unsuccessful. I then called directory assistance and was given a telephone number for WXTM. When I called that number, the call was answered "Jukebox Radio." The person who answered the telephone provided me with directions to the studios of WXTM. Pursuant to standard investigative procedures, I did not, at that time, identify myself over the telephone as a member of the FCC's staff. It was not until I arrived at the studios of WVOS that I identified myself as an FCC field inspector.

I arrived at WXTM around 10 a.m. and observed a few people at that location. I may have incidentally spoken to the board operator on the air at that time. There was no receptionist for WXTM. Finally someone came over to ask what I wanted. At that time, I identified myself as an FCC field inspector. Eventually, I was directed to Gene Blabey, who represented WXTM. Blabey confirmed that WXTM's studios were located at that site. I asked for information concerning WXTM. Blabey responded that there was not much to show me, as most of WXTM's affairs were handled at the Dumont studios for Jukebox Radio. He also stated that all program logs for WXTM were kept in Dumont. Blabey offered to show me WXTM's public file, but I declined. Blabey provided me with a copy of a network agreement between WXTM and Jukebox Radio. I also asked to see the WXTM studios and Blabey escorted me to what he described as a former production room for WVOS that he identified as the studios for WXTM. I saw some equipment, including a control board, some tape machines, and a microphone. I did not see any EBS equipment. I asked Blabey if there

000330

was equipment to control the WXTM transmitter from that location and was informed by Blabey that there was none. I asked Blabey if WXTM ever originated programming from that site. Blabey stated that WXTM did not originate programming for broadcast from that location. I also asked if WXTM could originate programming from that site and deliver it to the transmitter for broadcast. Blabey informed me that it could not be done remotely without first going to and adjusting equipment at the transmitter site.

During this investigation, I briefly spoke with Carol Montana, another WXTM employee regarding her duties at WXTM, the substance of which is recounted in the Radio Station Inspection Report I prepared. Blabey also informed me that there were no other WXTM employees at that location.

During the course of this investigation, Blabey informed me that Turro was on the telephone and wished to speak with me. I then spoke to Turro by telephone. Turro identified himself as the Chief Operator for WXTM. Turro asked me what I was doing there, and I responded that I was conducting a routine inspection. I asked Turro where the remote control equipment and station logs for WXTM were located, and Turro replied that both were at the Jukebox Radio studios in Dumont.

I then informed Turro that I wanted to visit the WXTM transmitter that day. Turro stated that I should drive to the transmitter site for WXTM with Blabey. I also informed Turro that I was going to Dumont the next morning to test whether the Ft. Lee and Pomona translators were receiving the over-the-air-signal of WXTM by switching the WXTM transmitter on and off and listening to the translators. Turro told me that because the WXTM transmitter was recently hit by lightning, he preferred that the transmitter be turned on and off

by an experienced engineer at the transmitter rather than by remote control. Blabey stated that he would arrange for someone to be posted at the transmitter site, and he gave me the telephone number at the transmitter site.

Blabey and I drove to the WXTM transmitter site in my car. At the transmitter site, I looked at the transmitter and observed equipment for remote control operation of the transmitter. I then drove Blabey back to Ferndale. I dropped him off about mid-afternoon. I did not take any breaks during this time period.

April 14, 1995: I drove an FCC vehicle equipped with Mobile Automatic Direction Finding equipment to a location on Route 9 in New Jersey, where both the Pomona and Ft. Lee translator signals could be received. On a cellular telephone in the Commission vehicle, I then called the telephone number for the WXTM transmitter site provided to me by Blabey the day before. I do not know who answered the telephone. I identified myself to the person who answered the telephone, and asked whether he was ready to begin testing. When instructed to "kill it," referring to turning the transmitter off, I monitored two receivers, one for each translator, which each produced "white noise" on the translators' frequencies. I was unable to determine whether the Monticello transmitter was actually turned off, but the white noise I heard on the translators' frequencies was consistent with the WXTM transmitter being turned off and a resulting in the loss of that over-the-air signal by the translators. As I got the expected results from the transmitter shut-off, I conducted this test once.

The fact that this test was disclosed to Blabey and Turro before it was conducted is consistent with sound investigative techniques employed by the field staff. The results of

such testing are used as a frame of reference for later unannounced monitoring to determine any variations in operation. These procedures are consistent with investigative techniques used by the FCC field staff.

After the conclusion of this testing, I went to the Dumont studios of Jukebox Radio. I observed many employees at that studio and was shown the premises by station personnel, although I do not recall any specific name. At my request, I was shown the remote control equipment for WXTM, but I did not inspect or test that equipment.

May 15, 1995: Without any prior warning to either WXTM (hereinafter WJUX)² or Jukebox Radio personnel, I drove to the apartment building where the Ft. Lee translator broadcasting equipment is located. Using a signal generator set at the frequencies of WJUX (99.7 MHz), the Pomona translator (94.3 MHz) and the Inter-City Relay Station WMG-499 (95.1 MHz), I attempted to determine whether the Ft. Lee translator was rebroadcasting the signal of Station WJUX, the Pomona translator or Inter-City Relay WMG-499. This test involves generating a signal on a frequency that would override another weaker or more distant signal on the same frequency. I first generated a signal on 99.7 MHz, determined that there was a negative result (*i.e.*, the generated signal was not overriding any other signal on that frequency), and thus concluded that there was no signal from WJUX being rebroadcast by the Ft. Lee translator. I then generated a signal on 94.3 MHz, determined that there was a negative result (*i.e.*, the generated signal was not overriding any other signal on that frequency), and thus concluded that there was no signal from the Pomona translator being rebroadcast by the Ft. Lee

² On April 15, 1995, the call sign for WJUX changed to WJUX.

translator. Had the Ft. Lee translator been receiving the WJUX or W232AL (Pomona) off-air signals, the signal generator would have disrupted those signals. The fact that neither signal was disrupted indicated that Ft. Lee was not receiving those off-air signals. I then generated a signal on 951 MHz and determined that there was a positive result (*i.e.*, the generated signal was overriding another signal on that frequency). I thus concluded that the Ft. Lee translator was receiving and rebroadcasting its radio frequency signal from the Inter-City Relay Station, WMG-499, located in Dumont. This Inter-City Relay Station is associated with WNJW, Franklin Lakes, N.J.

July 31, 1995: On June 6, 1995, Turro was directed by the FCC to terminate his operation of WMG-499. *See* Attachment A to Turro's July 27, 1995, response to the Bureau's Letter of Inquiry. At the telephonic request of Steve Lynn of the Commission's Wireless Telecommunications Bureau to my supervisor, I returned to Dumont with a multi-band communications receiver, and was able to determine that the inter-city relay station had been turned off. I spoke to no one during this monitoring.

I then returned to my office and reduced my observations to an e-mail which was directed to both the Wireless Telecommunications and Mass Media Bureau personnel, a copy of which is disclosed herein. There are no other written records of this investigation.

August 2, 1995: I called Turro and informed him that I wished to inspect the Ft. Lee and Pomona translators. I met Turro at the Ft. Lee translator. I inspected the W276AQ equipment, did not observe any remote control equipment, and found a high-quality Sony car